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*Western Australian Shire Councils, Municipal Road Boards,
Health Boards, Parks, Cemeteries and Racecourses,
Public Authorities Water Boards Union, WA Division*

SECRETARY ANDREW JOHNSON

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19 October 2019

Dear Members/Job Delegates

**RE: REVIEW AND REFORM OF THE LOCAL GOVERNMENT ACT 1995 POSSIBLE
INTRODUCTION OF INDEPENDENT CORPORATIONS TO OPERATE AT ARMS LENGTH TO
PROVIDE COUNCIL SERVICES TO THE WESTERN AUSTRALIAN COMMUNITY**

Please find attached extract information from the Western Australian Department of Local Government in relation to a current Ministerial review of the Local Government Act 1995 that is being carried out right now.

The Department is currently surveying and talking to stakeholders including rate payers, ratepayer association, the public at large and other parties with interests in the industry.

The impact of this proposal alone if supported by the McGowan Government would enable Western Australia to follow New Zealand and Victoria where large swathes of council services were in effect "subcontracted" to these Corporations.

One of the clear implications for employees could be that their employment is shifted to these corporations under new and completely different terms and conditions of employment.

We encourage you if in the country areas to attend the workshops set out in the attachment and to also have your say directly to the review by lodging written concerns at the following email address:

actreview@dlgscwa.gov.au

Importantly you should be aware that the peak body representing employers' interests in Local Government in Western Australia, the WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION (WALGA) has come out in favour of this proposal. So, your employers are seriously looking at ways to get this into place legally.

Have your say or write to or email us or the Minister or your Local MPs we also wish to communicate member concerns to the Minister and the Department.

Yours in Solidarity
Andrew Johnson
SECRETARY



LOCAL GOVERNMENT ACT REVIEW ►► DELIVERING FOR THE COMMUNITY

Local government run businesses

As part of the McGowan Government's reform agenda, a new Local Government Act will be drafted. Our vision is for the local government sector to be agile, smart and inclusive.

Our objective is to transform local government so that it is empowered to better deliver quality governance and services to their communities now and into the future.

We are looking at the **opportunity for local governments to run businesses** as an area of reform.

The current system



Local governments provide **services which may have community benefit** such as childcare facilities.



They **cannot currently form independent corporations** to provide these services.



They **can form regional councils** (entities formed by two or more local governments).



They **can form regional subsidiaries** (neighbouring councils delivering shared services).

Ideas for change

- Modernise the legislation to provide local governments with the option to form beneficial enterprises.
- Local government to develop a business plan to address community expectations and ensure transparency of funding and viability arrangements.
- Introduce eligibility criteria that a local government must meet before it can establish a beneficial enterprise.

What you've told us

- Local governments are not legally permitted to create incorporated businesses, unlike in Queensland and Victoria.
- An independent corporation could be used to manage part of a local government's existing business activity or pursue new commercial opportunities.
- There is some community concern around privatisation of local government services and financial risk to ratepayers.
- Concerns about unfair competition with private businesses.



What do you think?

This is just a snapshot of the reforms being considered on this topic.

We want to hear your ideas.

You can learn more or have your say at
www.dlgsc.wa.gov.au/lgareview

Local Government Act Review

Last updated: 12/10/2018



In 2017 the McGowan Government announced a review of the Local Government Act 1995. This is the first significant reform of local government conducted in more than two decades. The objective is for Western Australia to have a new, modern Act that empowers local governments to better deliver for the community. Our vision is for local governments to be agile, smart and inclusive.



**Local Government
Act 1995 Review**
agile • smart • inclusive

About the reforms

Local governments and community were invited to have their say on the priority reforms earlier this year and the drafting of a Bill which includes universal training for candidates and council members, council member code of conduct, improvements to CEO recruitment and performance review and a simplified gift framework is now underway. [Read the policy positions on the priority reforms.](#)

The next stage will result in a new Local Government Act and focuses on delivering for the community based on the themes Agile, Smart and Inclusive. It considers nine key topic areas as outlined in the table below and local governments and community members are currently invited to [have a say on some or all of the reform areas.](#)

Agile

Agile includes topics that focus specifically on how local governments can best use their resources to adapt to changing conditions. It is important that they can strike a balance between community expectations, the practical limitations of revenue and expenditure and external pressures.

Smart

Smart includes topics that focus specifically on enabling local governments to better meet the needs and expectations of their communities through being transparent and accountable.

Inclusive

Inclusive focuses specifically on local governments representing and involving their communities in decision-making. As the tier of government closest to the community, there is an expectation that local governments represent the whole community, recognise diversity within their district and are responsive to community needs.

Have your say

Click on one of the below topic areas to read more about the proposed reforms and complete the survey. Surveys are open until **31 March 2019**.

Agile

- Beneficial enterprises
- Financial management
- Rates, fees and charges

Smart

- Administrative efficiencies — local laws
- Council meetings
- Interventions

Inclusive

- Community engagement — IPR
- Complaints management
- Elections

Attend a workshop

The department is providing further opportunities for local governments and community members to participate.

Drop-in sessions and forums will be held for community members and local government staff can attend a workshop to share their thoughts and ideas on how local government can be transformed. View the schedules below.

Community drop-in sessions and forums

What do you think?

- Should charities pay rates?
- Should there be compulsory local government elections?
- When should local governments be required to engage with the community?
- How should local governments handle complaints?

These are just some of the questions that are being raised to help develop a new Local Government Act. The Department of Local Government, Sport and Cultural Industries wants to hear your views!

Drop-in to one of our sessions to have your say on ways that local government can be transformed – you can arrive at any time.

A forum may be being held close to your location – please arrive for the advertised start time.

Sessions will be added as they become available, check back regularly for updates.

Albany

Date, time and location to be advised

Bunbury

Forum session 6 pm to 8 pm, 1 November 2018

City of Bunbury Council Chambers, 4 Stephen Street, Bunbury WA

RSVP to the Bunbury forum session

Carnarvon

Drop-in session 5 pm to 7 pm, 10 October 2018

Department of Local Government, Sport and Cultural Industries, 15 Stuart Street, Carvarvon WA

Dongara

Drop-in session 5 pm to 7 pm, 18 October 2018

Irwin Recreation Centre Ocean Room, Ridley Street, Port Denison WA

RSVP to the Dongara drop-in session

Geraldton

Drop-in session 5 pm to 7 pm, 17 October 2018

City of Greater Geraldton Function Room, please enter via Chambers Entrance 63 Cathedral Avenue, Geraldton WA

RSVP to the Geraldton drop-in session

Gingin

Drop-in session 5 pm to 7 pm, 25 October 2018

Gingin Bowling Club, 4 Robinson Street, Gingin WA

RSVP to the Gingin drop-in session

Kalgoorlie

Drop-in session 5 pm to 7 pm, 1 November 2018

Department of Local Government, Sport and Cultural Industries (located above ABC Radio)

Suite 1, 349 Hannan Street, Kalgoorlie WA

RSVP to the Kalgoorlie drop-in session

Katanning

Drop-in session 5 pm to 7 pm, 18 October 2018

Katanning Leisure and Function Centre, 4 Pemble Street, Katanning WA

RSVP to the Katanning drop-in session

Kununurra

Drop-in session 6 pm to 8 pm, 25 October 2018

Location to be advised

Meekatharra

Date, time and location to be advised

Merredin

Drop-in session 5 pm to 7 pm, 23 October 2018

Merredin Regional Community and Leisure Centre, Bates Street, Merredin WA

RSVP to the Merredin drop-in session

Narrogin

Drop-in session 5 pm to 7 pm 10 October 2018

Reception Centre, 84 Federal Street, Narrogin WA

Newman

Date, time and location to be advised

Port Hedland

Forum session 5 pm to 7 pm, 13 November 2018

Civic Centre, 13 McGregor Street, Port Hedland WA

RSVP to the Port Hedland forum session

Local government staff workshops

As a local government staff member, you are invited to attend one of the sessions below to have your say on ways that the local government sector can be transformed.

Sessions will be added as they become available, check back regularly for updates to the schedule.

What you will get out of this session:

- Learn about the areas considered for reform.

Kalgoorlie

1 November 2018

Time and location to be advised

Katanning

10 am to 12 noon, 18 October 2018

Pioneer Room, Katanning Leisure and Function Centre, 4 Pemble Street, Katanning WA

RSVP to the Katanning staff session

Kununurra

10 am to 12 noon, 29 October 2018

Kununurra Council Chambers, Shire of Wyndham East Kimberley, 20 Coolibah Drive, Kununurra WA

RSVP to the Kununurra staff session

Mandurah

10 am to 12 noon, 5 November 2018

City of Mandurah Council Chamber, 83 Mandurah Terrace, Mandurah WA

RSVP to the Mandurah staff session

Port Hedland

9 am to 11 am, 14 November 2018

Civic Centre, 13 McGregor Street, Port Hedland WA

RSVP to the Port Hedland staff session

More information

Email actreview@dlgsc.wa.gov.au

Perth office

140 William Street

2nd Floor Reception Perth, WA 6000

Local government

Telephone 08 6551 8700

Culture and the arts

Telephone 08 6552 7300

Racing, gaming and liquor

Telephone 08 6551 4888

Office of Multicultural Interests

Telephone 08 6551 8700

Aboriginal History Research Unit

Telephone 1300 651 077

Leederville office

246 Vincent Street
Leederville, WA 6007

Email info@dlgsc.wa.gov.au

Sport and recreation

Telephone 08 9492 9700

Regional Offices

Department changes

Welcome to the Department of Local Government, Sport and Cultural Industries.

Our new department combines the:

- [Department of Local Government](#)
- [Department of Sport and Recreation](#)
- [Department of Culture and the Arts](#)
- [Department of Racing, Gaming and Liquor](#)
- [Office of Multicultural Interests](#) and
- [Aboriginal History Research Unit](#)
(formerly with Department of Aboriginal Affairs).

wa.gov.au

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